

CD George

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FEB 27 2003

U.S. DEPT. OF JUSTICE
Office of Secretary

121

45 W. Tien Ex. 1001

To Chairman
+

Opus rec
100

From: Gothrame@aol.com
To: Mike Powell
Date: 1/23/03 5:34PM
Subject: Attn. Michael Powell

EX PARTE OR LATE FILED

02-177

Dear Mr. Powell,

It is of the UTMOST importance that the FCC preserve the rule prohibiting cross ownership of newspapers and television stations in the same market. This rule should also not be weakened.

Just because there is so much monopoly-like control over the media already, does NOT mean we should allow it to get worse.

This could be one of the most significant issues to "cross your desk." Please take my concerns as an informed, intelligent citizen seriously.

Thank you.

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FEB 27 2003

Federal Communications Commission
Office of Secretary

no. of copies rec'd
1/23/03

From: GCfan4889@aol.com
To: Mike Powell
Date: 1/23/03 5:49PM
Subject: just another person who youll ignore

RECEIVED
FEB 2 19 2003

FEB 27 2003

Michael K. Powell Chairman Federal Communications Commission
445 12th Street, SW

Federal Communications Commission
Office of General Counsel

Washington, D.C. 20554 Dear Mr. Powell: I am writing to tell you of my opposition to the proposed changes by your agency to the current Media Ownership Rules. Further concentration of media ownership does not serve our democratic society based upon democratic principles, but instead undermines it. Following World War II, our government placed restrictions upon news media outlet ownership because of how totalitarian regimes used controlled media concentrated in the hands of a few corporations and government agencies to control their people and move the world towards war. The proposed changes to the current Media Ownership Rules completely undermines this principle that so many Americans have fought to defend from our country's birth to the present. Furthermore, the series of reports released by the FCC about the current media marketplace are focused almost entirely on the economic impact of relaxing the ownership rules. They ignore the public's interest in a diverse and independent press. You have also scheduled only one public hearing regarding this issue. The FCC has barely publicized the proposed changes, and combined with a very short public comment period I can only surmise that you hope to sneak these changes past the American people. I certainly didn't find out about them as a result of anything that was done by your agency. You should be ashamed that an agency under your leadership is not using what is in the best interests of the American public as it's guiding principle, but instead is thinking of what is most profitable for a few huge corporations who only care about the bottom line, not about what is good for democracy.

Sincerely yours,

anonomous punk
UTAH
slc

EX-100-0210-11ED

11 27 2005

100-0210-11ED
100-0210-11ED

From: Jesse Gregg
To: Mike Powell
Date: 1/24/03 11:51AM
Subject: Maintaining the independent news media outlets

I oppose any further relaxation of limits on multiple ownership of media outlets. Allowing single companies to control more media outlets does not promote competition, diversity or localism in today's media market.

Your own studies show:

- * There is little substitution between media forms as sources of news and information
- * TV and newspapers dominate news and information dissemination, with radio and the Internet playing a minor role.
- * Previous decisions to relax ownership limits and public interest obligations, have already resulted in an alarmingly high level of concentration in ownership of media outlets.
- * Cross ownership impacts news gathering, often reducing coverage and tailoring content to the lowest-common denominator.

Please support and maintain the current limits on media concentration and cross ownership

Respectfully,
Harris Gregg

CC: Kathleen Abernathy, Michael Copps. KM KJMWEB. Commissioner Adelstein, FCC
FCCINFO

From: Evans
To: Mike Powell
Date: 1/24/03 12:02PM
Subject: Mergers, no

The continuing process of major mergers between media giants is rapidly turning our country into a one voice spokesman for all the news. 1984 may have passed but we are rapidly regressing to that kind of mind control. It is time to limit such aggression on our freedom of speech before there is only one voice in the land.

Virgil L. Evans

1/24/03 12:02PM
1/24/03 12:02PM

From: j. talley
To: feedback@ap.org. Kathleen Abernathy, KM KJMWEB, KA KQAWEB SITE, Mike Powell
Date: 1/29/03 7:31 PM
Subject: Fwd: Broadcast Networks File FCC Comments, But Not Stories

MEDIA WHORES UNITED WITH FEDERAL WHORES TO HAVE AN OFFSPRING HUGE MEDEFERAL WHORE

-----Original Message Follows-----

From: "FAIR" <fair@fair.org>
 Reply-To: fair@fair.org
 To: "FAIR-L" <fair-l@comet.sparklist.com>
 Subject: Broadcast Networks File FCC Comments, But Not Stories
 Date: Wed, 29 Jan 2003 15:00:17 -0800
 MIME-Version: 1.0
 Received: from comet.sparklist.com ([216.91.57.155]) by mc9-f38.bay6.hotmail.com with Microsoft SMTPSVC(5.0.2195.5600); Wed, 29 Jan 2003 15:07:49 -0800
 X-Message-Info: dHZMQeBBv44lPE7o4B5bAg==
 List-Unsubscribe: <mailto:leave-fair-l-5269069G@comet.sparklist.com>
 X-Hosted-By: http://SparkLIST.com/- High-Performance Email List Publishing Experts
 Return-Path: bounce-fair-l-5269069@comet.sparklist.com
 Message-ID: <MC9-F38rpIDV487jPhU000113d1@mc9-f38.bay6.hotmail.com>
 X-OriginalArrivalTime: 29 Jan 2003 23:07:49.0375 (UTC)
 FILETIME=[3E2688F0:01C2C7EB]

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 Media analysis, critiques and activism

ACTION ALERT:
 Broadcast Networks File FCC Comments-- But Not Stories

January 29, 2003

The review of media ownership rules underway at the Federal Communications Commission will have an enormous impact on the future of broadcasting and on media diversity. The FCC is considering repealing or altering a number of key rules that limit media consolidation. But you wouldn't know any of this from watching network television news.

Media companies stand to gain a lot from a relaxation of the ownership caps. So it is no surprise that NBC/General Electric, ABC/Disney and CBS/Viacom have all filed comments with the FCC.

It's what they haven't done that is more troubling: None of the big three networks have found the story worth reporting in depth. Since the FCC issued its notice on the ownership rules last September, a search of the Nexis news database turns up one network story: a short summary of the FCC's announcement on ABC's World News This Morning (9/9/02), which according to the transcript aired at 4:30 AM.

So, people who rely on network *TV* for their news are almost certainly unaware that the FCC is poised to roll back regulations that currently

prevent networks from buying many of their independently owned affiliates.

Or that the agency may soon allow one major network to buy another. Or that rules that have kept the newspaper business separate from the TV industry may soon be a thing of the past.

There have been plenty of opportunities to report on these sweeping proposals. For example, FCC Chair Michael Powell's appearance before the Senate Commerce Committee on January 14 provided a perfect news peg. The Wall Street Journal's January 3 report, "FCC Flooded With Letters Opposing Media Consolidation." described the massive public input on this matter. A hearing in New York this month, attended by all five FCC commissioners, also attracted media attention- but nothing on the networks.

ACTION: Encourage the nightly network news programs to report on the proposed rule changes at the FCC. You might point out that as the prime beneficiaries of any relaxations of broadcast ownership limits, the networks have a duty to explore the full debate on the issue.

CONTACT:

ABC World News Tonight
mailto:PeterJennings@abcnews.com

NBC Nightly News
mailto:nightly@nbc.com

CBS Evening News
mailto:evening@cbsnews.com

Please support FAIR by subscribing to our bimonthly magazine, Extra! For more information, go to: <http://www.fair.org/extra/subscribe.html>. Or call 1-800-847-3993.

FAIR SHIRTS: Get your "Don't Trust the Corporate Media" shirt today at FAIR's online store:
<http://www.merchantamerica.com/fair/>

FAIR produces Counterspin, a weekly radio show heard on over 130 stations in the U.S. and Canada. To find the CounterSpin station nearest you, visit <http://www.fair.org/counterspin/stations.html>

FAIR's INTERNSHIP PROGRAM: FAIR accepts internship applications for its New York office on a rolling basis. For more information, see: <http://www.fair.org/internships.html>

Feel free to respond to FAIR (fair@fair.org). We can't reply to everything, but we will look at each message. We especially appreciate documented examples of media bias or censorship. And please send copies of your email correspondence with media outlets, including any responses, to fair@fair.org

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MSN 8 with e-mail virus protection service: 2 months FREE!
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From: Kevin G
To: Mike Powell
Date: 1/30/03 2:47AM
Subject: Opposition to Proposed Changes to Current Media Ownership Rules

Dear Mr. Powell:

I am writing to tell you of my opposition to the proposed changes by your agency to the current Media Ownership Rules.

Further concentration of media ownership does not serve our democratic society based upon democratic principles, but instead undermines it. Following World War II, our government placed restrictions upon news media outlet ownership because of how totalitarian regimes used controlled media concentrated in the hands of a few corporations and government agencies to control their people and move the world towards war. The proposed changes to the current Media Ownership Rules completely undermines this principle that so many Americans have fought to defend from our countrys birth to the present.

Furthermore, the series of reports released by the FCC about the current media marketplace are focused almost entirely on the economic impact of relaxing the ownership rules. They ignore the public's interest in a diverse and independent press. You have also scheduled only one public hearing regarding this issue. The FCC has barely publicized the proposed changes, and combined with a very short public comment period I can only surmise that you hope to sneak these changes past the American people. I certainly didnt find out about them as a result of anything that was done by your agency.

You should be ashamed that an agency under your leadership is not using what is in the best interests of the American public as its guiding principle, but instead is thinking of what is most profitable for a few huge corporations who only care about the bottom line, not about what is good for democracy.

Sincerely yours,

Kevin Gilday
812 Colorado Blvd.
Santa Rosa, CA., 95405

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From: Scott McC.
To: Mike Powell
Date: 1/30/03 10:49AM
Subject: Monopolies Are Anti-American

Dear FCC:

Please protect democracy in America.

Please promote diversity, competition and localism

I personally have been chewed up and spit out by the all-consuming, anti-individual, monster that is Clear Channel and it is not pretty. An America where there is no fair avenue for competition is not America.

Rules limiting media consolidation should be strengthened not loosened

Thank you for your consideration

Scott McCaughey
4929 SW Canada Dr.
Seattle WA 98136

CC: Kathleen Abernathy, Michael Copps, KM KJMWEB, Commissioner Adelstein

From: Angelo Anello
To: Mike Powell
Date: 1/30/03 10:58AM
Subject: Broadcast deregulation

Dear Mr. Powell:

Please count me as another voice of concern regarding broadcast deregulation.

It is contrary to the public interest to allow media monopolies

Thank you for your prompt attention

Angelo J. Anello

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<http://join.msn.com/?page=features/junkmail>

CC: twebb003@tampabay.rr.com

From: Joe Newton
To: joe@thestranger.com
Date: 1/30/03 12:59PM
Subject: Telecommunications Consolidation - Reject

Dear Commissioner

I am writing as a concerned citizen regarding the proposed new FCC regulations that would further allow monopolization of local and regional media. I can not emphasize strongly enough how important diversity of voices is to free speech in our country. And free speech is what leads to diverse, fresh insights and ideas. Ideas are what makes our country strong. We can not longer depend on natural resources for that strength. But we can still rely on individualism and ideas. But these ideas must be allowed to flourish. Allowing giant media conglomerates to control TV, AND newspapers, AND billboards, etc, in the same market, pretty much guarantees a decrease in new ideas and their cross-pollenization.

I urge to reject further deregulation of the media industry. Short term profitability for these companies is too high a price to pay for loss of intellectual expression.

We cannot depend on the internet for a variety of voices either. The internet is increasingly dominated by powerful corporations as well.

We are talking about the well being of the intellectual resources of our country here. Please reject further deregulation.

Most Sincerely,
Joseph Newton
2217 30th Ave. S.
Seattle, Wa 98144
joe@thestranger.com

From: Nick Jimenez
To: Mike Powell
Date: 1/30/03 1:16PM
Subject: <No Subject>

Preserve media diversity please. Nick Jimenez

The new MSN 8: smart spam protection and 2 months FREE'
<http://join.msn.com/?page=features/junkmail>

From: looci stephenson
To: Mike Powell
Date: 1/30/03 2:33PM
Subject: objection

Dear Mr. Powell:

I am sending this to express my utter distaste for the proposed changes by your agency to the current Media Ownership Rules.

I am not american but i am still disgusted at what you have proposed. The Americans have every right to the way they live today and why should the media change just because you want it to when the people of America are happy the way they are? To me it seems pointless, completely pointless. And to just try and let it go by without informing the country will just enrage all who it affects. It isnt even fair on them that you do things behind their backs, would you like it if you were in their positions? I think not. And with so many amazing bands (eg. Anti-Flag) on the true American citizens' sides, do you expect this to just blow over?? I can tell you now, it wont. I didnt even find out about this from the news, it was from a **website** that has no relevance to the FCC. it was a music site!

You just dont consider and care about the people of the country anymore, you need that aspect to be sucessful in what you do.

Look before you leap and think plans through.

Sincerely yours

Lucy Stephenson

15 Greens Valley Drive,

Hartburn.

Stockton-on-Tees,

England,

TS18 5QH

Send music and picture to your friends with MSN Messenger. Download it FREE [here](#).

From: Steve Regina
To: Mike Powell
Date: 1/30/03 3:39PM
Subject: <No Subject>

Dear Chairman Powell:

I write to you as a member of the voting public, as well as someone who has worked in the music industry. The FCC's relaxation of regulations prohibiting consolidation is an enormous disappointment.

The consolidation of radio station ownership, coupled with the increase in barriers to small community radio stations, has reduced the quality of radio. It has also had an enormously deleterious effect on the music industry. Most importantly, it harms the free flow of ideas that forms the bedrock of our culture.

I hold little hope of impacting your actions through my writing. However, voting has a way of working wonders, and I would like you to know that the public is increasingly aware of the FCC's policies, and how it affects what they hear.

Please stop the consolidation of radio.

Sincerely, Stephen Regina

Help STOP SPAM with the new MSN 8 and get 2 months FREE*
<http://join.msn.com/?page=features/junkmail>

CC: Kathleen Abernathy, Michael Copps, KM KJMWEB, Commissioner Adelstein

From: Michael **Copps**
To: Jenkins, Sharon
Date: 1/30/03 6:30PM
Subject: **Fwd:** <No Subject>

From: Cheryl Fuller
To: Michael Copps
Date: 1/18/03 2:09PM
Subject: <No Subject>

Please take an active stand against the offensive television programming the media executives are cramming down our throats. There are many clean minded people and families who are greatly offended by the trash on TV ranging from television programs to commercials. Thank you.

The new MSN 8 is here: Try it free' for 2 months

From: Michael Copps
To: **Jenkins, Sharon**
Date: 1/30/03 6:39PM
Subject: **Fwd: (no subject)**

From: Gonnadoit1954@aol.com
To: Michael Copps
Date: 1/17/03 9:12PM
Subject: (no subject)

Please keep up the fight!!! The future of our children and country depend on it!

From: Ohalice2@aol.com
To: Mike Powell, Kathleen Abernathy, Michael Copps, KM KJMWEB, Commissioner Adelstein
Date: 1/30/03 6:57PM
Subject: (no subject)

i have recently become aware of the new attempts of the FCC to loosen the rules limiting media consolidation. this will help transform radio and tv into an even more static state than it already is in. consolidation, in effect, eliminates the small, local business and replaces it with a national conglomerate that is blind to local innovation. in radio and on tv, local stations are aware of young emerging talents and interests. these new and exciting individuals and concepts are what constantly rejuvenate culture. perhaps a majority of america is content the mainstream display that companies like VH-1, MTV, and BET provide, but the majority of america is content to sit on the sidelines and watch time go by as well. the majority of america doesnt do ANYTHING but work and raise familys. the majority is a pathetic example of what a human life can be. You know that the majority of america is an ! easily influenced child. you als o know that you are some of the few people who actually saw what an individual in our society is capable of, and became that person. you are not the typical american. and only the typical american doesnt notice the horrible effects of media consolidation.

i am an example of the fact that it is the will of the people to maintain a state of individuality in america. Individuality is the ideal our country was founded on. and, even after our recent election in which it was made clear the people of the united states do not really choose their president, but instead ancient beurocratic doctrines, it should be heartwarming that people like me still actually believe they have a place in political america. i am 19, and i believe that a few people can save the nation, and a few people can destroy it. currently, our new administration is attempting the latter. i hope youll choose not to play along. america can either be a collective of infinite different individual parts, or a condensed monopoly in which every town may as well have the same name: "depressing."

sincerely,
sara alice coffin

From: Grady Chapman
To: Mike Powell
Date: 1/30/03 7:11PM
Subject: Please: stop the consolidation of radio

Dear Chairman Powell:

I write to you as a member of the voting public, as well as someone who has worked in the music industry. The FCC's relaxation of regulations prohibiting consolidation is an enormous disappointment.

The consolidation of radio station ownership, coupled with the increase in barriers to small community radio stations, has reduced the quality of radio. It has also had an enormously deleterious effect on the music industry. Most importantly, it harms the free flow of ideas that forms the bedrock of our culture.

I am certain that you will never see this, and that if you did, it would be irrelevant: minds are made up. If by some strange chance you come to see this, please take a moment to reflect upon the cynicism you have fostered in me.

I hold little hope of impacting your actions through my writing. However, voting has a way of working wonders, and I would like you to know that the public is increasingly aware of the FCC's policies, and how it affects what they hear.

Please. stop the consolidation of radio

Sincerely,

Grady

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www.fuzedmusic.com

<< >>

CC: Kathleen Abernathy, Michael Copps. KM KJMWEB. Commissioner Adelstein

Grady Chapman

Fuzed Music

206-352-6892

351 W. Olympic PI

Seattle, WA 98119

(206) 352-6892 (Work Voice)

(206) 290-3692 (Voice Cell)

(206) 374-2429 (Work Fax)

grady@fuzedmusic.com (Preferred Internet)

http://www.fuzedmusic.com

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Middle

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Grady Chapman

Organization

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Telephone Number (Work Fax)

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P.O. Address

ExtendedAddress 206-352-6892

Street 351 W Olympic PI

Locality Seattle

Region WA

Postal Code 98119

Country

Delivery Label (Work)

206-352-6892
351 W. Olympic Pl
Seattle, WA 98119

Uniform Resource Locator

<http://www.fuzedmusic.com>

Electronic Mail Address (Preferred Internet)

grady@fuzedmusic.com

Last Revision

200111

From: Geoffrey Colon
To: Mike Powell
Date: 1/30/03 7:15PM
Subject: Please halt radio consolidation!!!

Dear Chairman Powell:

I write to you as a member of the voting public, as well as someone who has worked in the music industry. The FCC's relaxation of regulations prohibiting consolidation is an enormous disappointment.

The consolidation of radio station ownership, coupled with the increase in barriers to small community radio stations, has reduced the quality of radio. It has also had an enormously deleterious effect on the music industry. Most importantly, it harms the free flow of ideas that forms the bedrock of our culture.

I am certain that you will never see this, and that if you did, it would be irrelevant: minds are made up. If by some strange chance you come to see this, please take a moment to reflect upon the cynicism you have fostered in me.

I hold little hope of impacting your actions through my writing. However, voting has a way of working wonders, and I would like you to know that the public is increasingly aware of the **FCC's** policies, and how it affects what they hear.

Please. stop the consolidation of radio.

Sincerely,

Geoffrey S. Colon

From: ocblones
To: Mike Powell
Date: 1/30/03 7:18PM
Subject: Radio in Reno

Mr. Chairman:

I understand that a single company is allowed to own only four FM stations in the Reno, NV area. But today Citadel, which owns three FMs and LMAs a fourth, is purchasing another station, with an LMA to start within days. My question is this: can a company own four FMs and then LMA a fifth in the Reno area? If not, why is Citadel being allowed to proceed with this transaction? I am forced to remain somewhat anonymous for personal reasons, but would appreciate an answer.

Thank you,

Do you Yahoo!?

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<http://rmailplus.yahoo.com>

From: elizabethn@jfcs.org
To: Mike Powell
Date: 1/30/03 10:26PM
Subject: Docket No. 02-277

Chairman Michael K. Powell:

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of 2002 Biennial Regulatory Review -
Review of the Commission's Broadcast Ownership Rules
and Other Rules Adopted Pursuant to Section 202
of the Telecommunications Act of 1996,
Notice of Proposed Rulemaking,
MM Docket No. 02-277, (rel. Sept. 23, 2002)

Conglomeration of media ownership does not serve the public interest and is likely to promote disinformation, distrust, and the propensity of those in power to "control" the news. To promote competition, diversity and local content, the FCC should retain the current media ownership rules and impose stricter public interest requirements.

The studies commissioned by the FCC are flawed and incomplete. By allowing our media outlets to merge print and broadcast facilities a greater restriction on the breadth of news and information available to citizens to act in the public interest will result.

The public interest will best be served by preserving media ownership rules in question in this proceeding.

I strongly encourage the Commission to hold hearings in all parts of the country and solicit the widest possible participation from the public which will be the most directly affected by the outcomes of these decisions.

Thank you

Elizabeth Nelson
San Francisco, CA

578 26th Avenue, #6
San Francisco, CA. 94121

From: mives
To: Commissioner Adelstein, Kathleen Abernathy, mpowell@ff.gov
Date: 2/13/03 6:57PM
Subject: Frustration Over Your Lack of Support For Our Children's Innocense

Chairman Powell, Commissioner Abernathy and Commissioner Adelstein:

As a single mother who raised two children alone, I encourage you to support the efforts of Commissioner Copps and Commissioner Martin to bring back family friendly programming to network television. I believe crude broadcasters on many networks are out-of-touch with mainstream America because many advertisers are hesitant to associate their corporate names with such programming. I urge you to take a stand for families and retard the searing of our children's consciences and the molestation of their innocence.

Isn't the idea that broadcasters will regulate themselves similar to the analogy of a fox guarding the hen house? Past performance is the best Indicator of future behavior and I wonder just how lewd and crude producers have to become for you to recognize that they are not concerned about the innocence of our children but, instead, focus on their own profits. Evidently, they do not realize that they could make much more money if they produce truly decent family friendly programming. How much greed must they exhibit before you realize that America still has a conscience?

Thank you for your consideration of my thoughts.

Megan Ives

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CC: Michael Copps, KM KJMWEB

From: Megan
To: Commissioner Adelstein, kabernab@fcc.gov, mpowell@ff.gov
Date: 2/13/03 8:48PM
Subject: Frustration Over Your Lack of Support for Our Children's Innocense

Chairman Powell, Commissioner Abernathy and Commissioner Adelstein:

As a single mother who raised two children alone, I encourage you to support the efforts of Commissioner Copps and Commissioner Martin to bring back family friendly programming to network television. I believe crude broadcasters on many networks are out-of-touch with mainstream America because many advertisers are hesitant to associate their corporate names with such programming. I urge you to take a stand for families and retard the searing of our children's consciences and the molestation of their innocense.

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Thank you for your consideration of my thoughts

Megan Ives

CC: Michael Copps, KM KJMWEB

From: Manganello, Zachary
To: Michael Copps
Date: 2/18/03 1:26PM
Subject: support independent media

Dear Commissioner Copps,

I am writing to encourage you to oppose further deregulation of the mass media industry. When the FCC was created in the 1930's, the radio industry was regulated so as to limit companies from owning more than two stations in a given market locality or more than 28 stations nationwide. The regulation was "designed to keep ownership as diverse as possible and keep the stations' focus as local as possible." Though things have changed since then, I believe this basic logic still holds. The 1996 Telecommunications Act relaxed the rules implemented in the '30s. resulting in the rapid consolidation of many companies. The University of Texas reports that today, just six years after the Act was passed, four companies control 90% of all nationwide advertising revenue, and Clear Channel Communications, the industry giant, owns more than 1,200 stations. In addition to the **loss** of local and diverse news coverage and industry jobs, the trend **is** toward homogenization in radio programming. making it even more difficult for independent artists and labels to get airtime.

I love independent news, music, and radio stations, and the idea of further "Clear Channelization" of the mass media makes me cringe. I find it impossible to listen to anything outside of the noncommercial band, as the corporate media focus more and more on ratings and less and **less** on quality programming. Please, for the sake of an independent media, if not for the sake of the sanity of all of us who despise listening to the exact same music and news stories on all the stations we can receive. please vote to halt and reverse further deregulation of the mass media industry.

For more information, I encourage you to read a very thorough report compiled by the Future of Music Coalition (FMC) at www.futerofmusic.org

Thank you for your time and consideration

Sincerely,

Zachary Manganello
48 Val Halla Road
Cumberland, ME 04021-9553

From: Manganello, Zachary
To: Commissioner Adelstein
Date: 2/18/03 1:28PM
Subject: Vote to save radio from corporate consolidation

Dear Commissioner Adelstein

I am writing to encourage you to oppose further deregulation of the mass media industry. When the FCC was created in the 1930's, the radio industry was regulated so as to limit companies from owning more than two stations in a given market locality or more than 28 stations nationwide. The regulation was "designed to keep ownership as diverse as possible and keep the stations' focus as local as possible." Though things have changed since then, I believe this basic logic still holds. The 1996 Telecommunications Act relaxed the rules implemented in the '30s, resulting in the rapid consolidation of many companies. The University of Texas reports that today, just six years after the Act was passed, four companies control 90% of all nationwide advertising revenue, and Clear Channel Communications, the industry giant, owns more than 1,200 stations. In addition to the loss of local and diverse news coverage and industry jobs, the trend is toward homogenization in radio programming, making it even more difficult for independent artists and labels to get airtime

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For more information, I encourage you to read a very thorough report compiled by the Future of Music Coalition (FMC) at www.futerofmusic.org.

Thank you for your time and consideration

Sincerely,

Zachary Manganello
48 Val Halla Road
Cumberland, ME 04021-9553

From: Doren J. Fronterhouse
To: Michael Copps
Date: 2/19/03 12:14PM
Subject: Ownership Rules

Dear Mr. Copps,

I've been a professional radio broadcaster for 23 years since I was 16. I believe the '96 Telecom Act has gutted one of this nation's greatest resources- The Radio Industry.

Every day I fear that I'm going to learn that another round of ownership caps will be surrendered to huge companies in the interest of profit. Which, in turn, will only serve to alienate MORE listeners, viewers, and readers of other media. Plus, it will virtually eliminate the small LOCAL broadcaster from the scene.

I have just read an article on Salon.com (http://w.salon.com/tech/feature/ZOO3/0Z/I9/clear_channel_deregulation/index.html?x) describing your efforts to stop this. I can't tell you how encouraging it is to me to know that someone of your position is doing all he can to stop this deregulation insanity.

I've seen many friends and colleagues, all of them GREAT Broadcasters, bullied to the point of disenchantment (or FIRED with no regard for their contribution, only their COST) and forcing them to leave what was once a sacred industry. Everywhere you go in this country you'll find scores of disenfranchised listeners and EX-broadcasters. The soul of radio has been systematically killed. And, I believe, it's getting worse. The airwaves are a public trust- not some ore deposit to be strip-mined.

I always had pride in the fact that media was the only industry the Founding Fathers concerned themselves with because they understood the importance of a FREE press. The dispersal of information is fundamentally the engine of a Democracy. When that engine becomes corrupted, what good can it serve the people when they don't trust it?

I'm writing to you to tell you PLEASE keep up the fight. We cannot afford another debacle like the 1996 Telecorn Act has wrought on radio. I've already written my representatives, and I even had a personal conversation with my Senator, John McCain, in the hallways of KTAR Radio here in Phoenix about this very issue.

I'd also like to volunteer in any way I can help. If there's ANYTHING I can do to help in your efforts, please don't hesitate to let me know. As a single citizen, I feel mostly powerless to have any real impact on these company's agendas, But, I am NOT ALONE in these feelings. The industry is loaded with concerned broadcasters. Tap into THAT constituency, and then you'd hear a roar. But, again, I'm very grateful to learn that you are on the side of being RIGHT,

Thank you for your time.

Sincerely,

Doren Fronterhouse

6626 **W.** Poinsettia
Glendale. **AZ** 85304
623-979-5239

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Doren Fronterhouse
doren@extremernezone.com

From: Jamie Richards
To: Commissioner Adelstein
Date: 2/19/03 1:50PM
Subject: Media Ownership limits

Hello,

My name is James Richards. I am a 23 year radio vet from Orlando, Florida. I am emailing in regard to the planned rewrite of the current media ownership limits.

I began my career in broadcasting in 1979. So as you probably can tell, I have seen quite a few changes in the radio business. Since the mid-90s. I can't even begin to tell you how many people I've heard say how fun radio used to be (before the big corporate take overs).

Really though, how fun radio is or isn't, is irrelevant. What is relevant however, is the state of the business, and how it is effecting its' work force, and the public that depends on it. Here's an update from the front lines for you

For those of us who have dedicated years to serving the publics interest through entertainment and information. here's how we have been affected:

Job availability continues to plummet, as more and more companies such as Clear Channel use technology to allow one person to do the job of hundreds. They pipe in one persons voice to many cities, making the listening public think they're hearing a locally employed person (and on-air friend). When in fact, the voice they are hearing neither cares or knows anything about **ALL** of the cities he is communicating to. Nor can he provide the kind of Public Service (both on-air and in person) that the local personality used to be able to do. Nothing like calling your local Dj and him or her remembering your name.

Basically, more and more people who have been in radio for years, and cannot afford (or have the time) to return to college are being driven to the unemployment line. I recently spent from January 2002, to February 2003 searching for a job in radio. I was released from what was a great job on the Florida east coast, that is, until Cumulus broadcasting took over the station. They used a third party to buy us, decieving the Attorney from West Palm Beach that owned us. Once they took over, it introduced a very negative attitude to the entire facility. Suddenly what was a team effort, became an "every man for himself environment" They then brought in their own management, and instantly 3 or 4 local people were replaced by personnel from outside the market. What was 3 or 4 became 5 or 6 and

more. All the goings on there even led to one of the older personalities (who had been an icon in the market for decades) having heart attack because of the stress of suddenly being 55 and not trained to do anything else in life.

After searching and searching with no luck with the big corporate radio companies, I finally found a job. Fortunately it was with a family owned station (not a corporate step child), and exactly 60 days AFTER my unemployment ran out.

Also, I was fortunate that it was just my wife and I that I had to worry about. But what if I had children? How would I have fed them?

Corporate radio has eroded the radio job market, and I know that there are thousands of current and former radio employees out there who will agree.

I wish the FCC would take time to ask itself. and corporate radio a couple of questions?

Why?

Why do companies like Clear Channel and Cumulus feel that they have to continue buying more and more and more stations?

Why do they feel that they need several stations in every market?

Why do they feel that they need to make more and more and more money? Just like, why do the Saudis (who are wealthy beyond belief) feel they must continue to make more and more money for oil, when they could not possibly ever spend what they have now?

Why does corporate radio feel that it has the right to go into radio markets, decrease the size of its work force (claiming through bogus research the public doesn't care to hear DJ's), and begin pumping advertising dollars out of it. creating an environment where the small business owner can't afford to market his or herself?

Business should always give back at least a little of what it takes from society. And all companies like Clear Channel are doing, are taking and not giving **back**. Clear Channel has even had the coconuts to buy the companies that promote local concerts. How much of the industry do they really feel they need to try and control?

In short, media ownership should be limited because of the following.

The Public.

The Publics access to information.

The Publics access to public service.

The Small Business owner who needs help in today's economy, and can't afford corporate radio and its' buy here and get 5 stations attitude

The Recording Industry, who is being limited by the control corporate radio has over so many radio listeners.

And, last **but** not least, those *of us* who love the business, and are watching it dissolve with the help of corporate and satellite radio.

Thank you for your time.

Cordially,

James Richards

Do you Yahoo!?

Yahoo! Shopping - Send Flowers for Valentine's Day

<http://shopping.yahoo.com>

From: jpayne@knowledgeu.com
To: Michael Copps
Date: 2/19/03 3:21PM
Subject: Protect Children's Television!

FCC Commissioner Michael J. Copps

Dear FCC Commissioner Michael J. Copps

The FCC must consider the unique needs of children in its upcoming rulemaking on broadcast ownership rules

Children consume almost five and a half hours of media per day. Research has shown that media, particularly television, play a unique and powerful role in children's development.

The FCC should consider how further relaxation of media ownership rules would impact children's programming. Deregulation may reduce competition, increase commercialism and result in less original programming for children.

Before making any regulatory changes to existing media ownership rules, the FCC must consider how children will be affected.

Sincerely

Janet Payne
3135 Campus Dr
San Mateo, California 94403-3132

cc:
Senator Dianne Feinstein
Senator Barbara Boxer
Representative Tom Lantos

From: agompper@webtv.net
To: Kathleen Abernathy, Michael Copps, KM KJMWEB, Mike Powell, Commissioner Adelstein
Date: 2/19/03 5:11PM
Subject: Reject Bells' Monopoly Bid

Message from Alan D. Gompper

6545 Estates Court
Kelseyville, CA 95451

Dear FCC Commissioner: Elimination of competitive access to wholesale phone networks will kill local competition and leave consumers with the worst of both worlds, ~~an~~ unregulated monopoly. Please reject the Bells self serving proposals to eliminate the UNE-Ps, which would pave the way for a bigger, meaner phone monopoly unrestrained by regulatory oversight.

Sincerely, Alan D. Gompper

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From: LARS35@aol.com
To: Commissioner Adelstein
Date: 2/19/03 7:45PM
Subject: telecom decision 2/20/2003

Jonathan S. Adelstein:

As a concerned individual involved with our Telecom Industry I hope you make the right decision and allow Bell companies to charge the CLEC's with the appropriate rates. Don't let them "piggyback" on the strength of the main telephone company. We (the consumer) have seen no positive growth or competition evolve from the ruling passed in 1996. In fact, I've seen just the opposite. Consumers are waiting longer for service. outside infrastructures are deplorable and layoffs abound. In upstate New York alone, we have lost nearly 3,500 dedicated telecom technicians. Bell companies can't support the leaching effects of these CLEC's. They aren't trying to form their own backbone, they are merely using the existing facilities of the dominant telco company. They are getting basically a free ride. This truly hurts the company, the employee's, and most of all the consumers. Please abandon the 1996 telecom act. It doesn't work.

Sincerely,

Larry Briand
Lars35@aol.com
Western New York State

From: Julie Purcell
To: Michael Copps
Date: 2/22/03 5:03PM
Subject: nonconsensual communications through my audio system on my desktop, cd playing

I am writing to you in hopes that you can discontinue and arrest someone that has been stalking me. The situation is that when I play music cd's on my desktop they are breaking in on the signal or however you want to describe it. When I play my Eric Clapton audio cd. a man that I used to date years ago is cheering in the background on one song that was made a long time ago named Ronald Andy Cottet. The woman in particular that I am referring to that has been reported to the police department in Baldwinsville, where I live is Penny Priest. She has been singing towards the end of a song on my Jewel, Pieces of You cd. and also throughout another song on the same cd. She was not a member of this musical group and the original cd that I do own should not be interrupted by anyone. Also, she is singing in the song Rain on my Madonna cd. This nonconsensual communication is illegal. I have been robbed, antagonized beyond anything that a normal person can tolerate, and now she has found a way to further torment me through my own computer system at home. I cannot believe that the FCC would allow such a thing and I am contacting you through the advice of a police officer in town by the name of LeRoy that told me that you would be the one to contact. He did not tell me that he was going to do anything about it, but to contact you.

Your attention in this matter is needed. Thank you

Julie A. King Esterley Purcell
kingsbabe@msn.com

From: Tim Johnson
To: Mike Powell, Kathleen Abernathy. Michael Copps, KM KJMWEB. Commissioner Adelstein
Date: 1/30/03 11:08AM
Subject: NextWave and Local Competition

Mr. Powell, all I can only say is that It's about time someone (The Supreme Court) put you in your place.

Your track record speaks for itself, you say America deserves competition in the Local Markets but then allow two Bell companies to merge and become the LARGEST monopoly in the nation. With little or no Local competition, you then let all the Bell Companies into the Long Distance markets, thus letting them out of their obligations under the 1996 Communications Act to provide proof of adequate competition in the Local Arena. Now that you've turned your backs on the consumers by lifting the burden of proof from the Bells, you now working to eliminate the requirements that they at least provide some wholesale pricing to their competitors. By eliminating this requirement, you will effectively eliminate all future competition in the Local Market. Don't you remember that several of the LD applications from the Bell Companies were rejected by the individual states because they were full of lies about the true numbers of customers serviced by Bell competitors? What makes you think they've provided the real story now? You don't seem to be able to prove or disprove their reports yet you believe what they are telling you know? If there was any type of real competition, I'd be getting a dozen calls from Bell competitors wanting my business, like the LD markets right? Well I can assure you I've never been contacted or seen any advertising by another Local Phone Company looking for my business What is that telling the consumer? LD bills have decreased by 50% + over the last 7 years, yet our local bills continue to increase.

To say your the "watch dog" for the consumer, is nothing short of a joke. It's obvious the Bells have lined your pockets and you could care less if our local phone bills ever go down. How can you sleep at night knowing your letting the Bell Companies continue to rob and lie to the American public.

Mr. Powell, It took the Supreme Court to call your hand on NextWave, now I can only hope Congress or the Courts stop you from short changing the American people once again. I really like your latest statement "I feel more strongly about getting an order that's coherent, stabilizing and more certain, even more than I care about what the specifics of it are". I've never heard anything more scary than that, and as it's been said a million times, " the devil's in the details", and all your interested in is meeting a deadline that really doesn't matter!

For any of you new members on the FCC that don't agree with Mr. Powell, I apologize and hope you keep fighting the good fight.

Tim Johnson
Tulsa, OK
918-749-3072

From: Jaime Bartochowski
To: Mike Powell
Date: 1/30/03 2:56PM
Subject: telecommunications review

Dear Mr. Powell,

I am writing to you as the pregnant wife of an unemployed telecommunications worker. I am aware that on February 13, 2003 you will be making a decision that will not only affect my family's life and that of every telecommunications worker, but consumers everywhere.

The telecommunications industry is deteriorating fast. Unfair regulations imposed on the industry by the FCC and state governments are stifling growth and fair competition. We understand the need for certain regulations to be in place. However, instead of promoting price cutting and increased investment in current and future operations, companies are holding back. Why should they invest millions of dollars in advancement of their own infrastructures when they are forced to lease that same equipment for a fraction of the cost it takes them to maintain it? In order to compete with these smaller companies, the industry's big players are having to cut back advancement and their workforce. How is that "fair" to consumers? How is that "fair" to these working families...my family? How is that "fair" to the economy?

If you rent an apartment to a couple who uses \$300 in electricity, would you only charge them \$100 and then take a loss and pay the rest yourself? That is exactly what larger telecommunications companies are being forced to do. If you see the need to make companies like Verizon and the Baby Bells lease their own lines (that they run and maintain daily) to competitors, at the very least allow them to charge the minimum amount it costs for those lines to be maintained.

A fair competitive market will undoubtedly spark investment, advancement, and employment. In turn, saving will be passed on to consumers everywhere. So please, do your part by making "fair competition" in the telecommunications industry mean a level playing field for everyone.

Sincerely,

Jaime Bartochowski

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John C. Coffee Jr., an expert in securities law and a professor at Columbia University Law School, said damages in the case could reach into the billions of dollars, potentially raising the bar for awards in

Mr. President: Please protect the American people from these corrupt Global Corporations, Institutions and Executive Criminals who make Economic Globalization and personal greed a priority over the National Security of the United States of America and shareholders . They have my life savings and I want it back! Keep your promise!

James R. Elkington
Princeton, N.J.

CC: webrnaster@commerce.senate.gov, Kathleen Abernathy, Michael Copps, KM KJMWEB, Commissioner Adelstein, Breck Blalock, soconnell@fcc.gov, Kathleen Collins, Elizabeth Yokus, Zenji Nakazawa, Neil Dellar, Johnrncain@McCain.senate.gov

From: JRE44I@aol.com
To: Mike Powell
Date: 1/30/03 10:12PM
Subject: Global Crossing - Seeds of Revolution

Top > Business & Finance > Investments > Sectors > Financial > Investment Services > GS (Goldman Sachs Group)

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Message from a GX Shareholder.

by: goldenchild11367

Long-Term Sentiment: Hold 01/28/03 11:39 pm Msg: 12082 of 12093

Titled WIMPS!!

Would love for Winnick, Legere and the rest of the GX Executives, the Executives of these American banks created by American money involved in accepting this deal (All traitors to their Nation), Judge Gerber, and any other GREASED UP Politician to stand before the American GX Holders and their families (Children and all) and explain how larger bids were ignored that would include Holders and enhance their families American dream and secure retirements for some on a one of a kind state of the art company with a viable future and a company that in a terrorist aware post 9/11 period that should never be in any other hands but the U.S.'s is even involved in this fiasco with the status it is currently in and Red China looming.

It is simply insane when you think about it. Let's see these individuals, without their hired SPIN DOCTOR Attorneys, get themselves out of this paper bag without using the words "Personal Greed". They are simply spineless jellyfish who would sell their Mothers in a heartbeat. The thought of their actions is sickening. The thought that I am on this GX board at this point in time even discussing this issue instead of the future successes of this company with Us Holders going along for the ride is disgusting.

Let's see Gary Winnick bring a person who is living small and lost their retirement due to his actions to his mansion and explain why it is that they lost their future. Gary can tell him or her this while his marble renovations are layed down and the newly acquired Monets and Van Goghs are being hung. The unbelievable part is how Gary has been renovating while his Company's Holders have been pushed to obliteration

EXPLAIN THIS GARY! It is just like someone has robbed your house and the next day moves in next door using your furniture to furnish and his wife is wearing your wife's jewelry. It is sickening that the Government does not see what a bad message this sends to the American public that they expect to stay ethical and follow the Law. All of these people cannot look Holders and their families in the eyes because they have no explanation for their dishonorable and sinful actions. They don't even have the guts to attempt to explain because they are flat out WIMPS who hide behind the wealth given to them by those who invested and trusted them or by the votes that were given in good faith only to get back hollow promises. Let's see you WIMPS justify yourself to your Maker who has a vision of some place toasty and roasty for you. Your life on this planet will be filled with your mind and soul being haunted from your indiscretions while both wither; and no material wealth will ever sooth! e your inner pain.

Members of the FCC, think long and hard about what you are doing; for many hard working ethical people that believe in America's ideals (brought upon by our Forefathers) depend on it. We also depend on your decision for our Nation's safety. Remember, you will have to sleep with your decision for the rest of your life. God Bless America and all of the Longs!

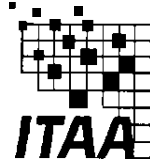
PETE

CC: webrnaster@cornrnerce.senate.gov, Kathleen Abernathy, Michael Copps. KM
KJMWEB, Commissioner Adelstein, Breck Blalock, Kathleen Collins, Elizabeth Yockus, Zenji Nakazawa.
Neil Dellar

From: Mark Uncapher
To: Commissioner Adelstein
Date: 2/3/03 7:23PM
Subject: CC to ITAA Letter to the Chairman

<<FCC immaculate connection 2 03 03final.pdf>>

Mark Uncapher, Senior Vice President & Counsel, Internet Commerce & Communications Division,
Information Technology Association of America, 1401 Wilson Boulevard, #1100, Arlington, VA 22209,
703-284-5344. <mailto:muncapher@itaa.org>, <mailto:mark@uncapher.net> Internet Division Website
<<http://www.itaa.org/isec>> ITAA E-Letter <<http://www.itaa.org/isec/pubs/ecurrent.cfm>> Association text
links <<http://www.internet-association.org/>> Positively Broadband Website
<<http://www.positivelybroadband.org/>>



February 3, 2003

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th St. SW
Washington, DC 20054

Re: Review of the Unbundling Obligations of ILECs
CC Docket No. 01-338: Implementation of the Local
Competition Provisions in the Telecommunications
Act of 1996 CC Docket No. 96-98: and Deployment
of Wireline Services Offering Advanced
Telecommunications, CC Docket No. 98-147

Dear Chairman Powell

As leading innovators in the high-tech sector, we are writing about your upcoming Triennial Review decision and its critical impact on the Nation's economic future and the high tech Sector's ability to help jumpstart this economy.

The Information Technology Association of America (ITAA) represents more than 450 leading high tech companies -- from small IT start-ups to industry leaders driving the future. These companies collectively represent the engines of the new economy who are helping to ensure our economy, our businesses, and our people can fully benefit from the promise and potential of the information age.

We want to unequivocally repeat our view that unbundling is essential -- regardless of technology, whether for copper or fiber or some mix of the two -- if we are going to see growth, innovation and investment in this sector. The FCC, in order to ensure an eventual return to prosperity in the technology and telecom sectors, must stay the course on unbundling obligations -- ensuring competitive access to all facilities in the local loop and allowing states to maintain the power to set wholesale pricing rates based on local market factors. It's the only proven path to true competition.

For competition to fully take hold in the local market there must be unambiguous support for unbundling. Major new regulatory changes combined with the resultant

Information Technology Association of America
1401 Wilson Boulevard, Suite 1100, Arlington, VA 22209-2318 Ph: (703) 522-5055 Fax: (703) 525-2279

Review of the Unbundling Obligations of ILECs, CC Docket No. 01-338; Implementation of the Local Competition Provisions in the Telecommunications Act of 1996, CC Docket No. 96-98; and Deployment of Wireline Services Offering Advanced Telecommunications, CC Docket No. 98-147. ITA letter, 2/3/03 p. 2.

potential for extended litigation, brings unnecessary uncertainty to the marketplace helping to forestall future investments that can help jumpstart the economy. At this historic juncture, we want to assure the Commission that unbundling is precisely what is needed to foster innovation and investment in the high-tech industry. We therefore urge the Commission to continue unbundling obligations for ILEC loop facilities, both as they exist today and as upgraded in the future.

We have serious concerns that the FCC may be considering eroding the very unbundling rules which have proven to be the foundation for investment, innovation and growth in the sector. There is no basis in the market for a distinction between copper and fiber facilities. When the local loop remains in the hands of the one monopoly provider, there is no incentive for new innovations, new investments, new competition, or new services.

As an overarching principle, ITA urges the Commission to preserve meaningful choices for ISPs among wholesale mass-market broadband telecommunications service providers in order to ensure that consumers continue to enjoy the significant benefits of today's competitive broadband and information services market. And the best way to do that is to foster competition among broadband providers. We note that the choices in the current docket may inevitably reduce the Commission's options in subsequent proceedings.

ITA and its predecessor organization ADAPSO, have actively participated for thirty years in Commission proceedings on behalf of the computer and high technology industry, including all aspects of the *Computer Inquiries*, governing the obligations of the BOCs and other ILECs to provide the telecommunications services used to provide Internet and other information services on a just, reasonable and non-discriminatory basis. The regulatory foundation that was established supported the creation of the information services business and led to the development of the Internet. It is a legacy that the Commission can be justifiably proud. The interests of our member companies are far broader than a desire for new equipment orders, they extend to furthering the successful regulatory framework that made the success of the Internet possible.

Given the long-term consequences of the choices you make, it would be shortsighted to now rely on the chimera of possible new broadband investment – based on nothing but self-serving rhetoric and contrary to past marketplace experience – to justify ending the competitive broadband information services market.

Recent news reports record various efforts to convince the Commission to consider applying a new standard of "new rules" for "new wires." The approach, however, depends upon faith in a notion of an "immaculate connection" – that the new investment can be treated completely independently from the inherent interconnection and advantages of the existing monopoly infrastructure. Applying such a standard would require robust new state regulatory oversight to assure that that new investment – the "new wires" being advantaged – are truly distinct from the rest of the incumbents'

Review of the Unbundling Obligations of ILECs, CC Docket No. 01-3-38; Implementation of the Local Competition Provisions in the Telecommunications Act of 1996, CC Docket No. 96-98; and Deployment of Wireline Services Offering Advanced Telecommunications, CC Docket No. 99-147 ITAA letter, 2/3/03 p. 3

monopoly network, and that competitors are not disadvantaged in accessing the rest of the network. Such unworkable formulations cannot reasonably separate new broadband investment from incumbent monopoly power, and will require ever more regulation.

Today's competitive ISP market has helped transform the Internet into a powerful communications and technology tool for both consumers and businesses and organizations, stimulating small business development and benefiting the entire economy. This market depends on the continuation of the principle of "network nondiscrimination" reflected in the Computer Rules and on access competitive telecommunications alternatives. ISPs currently remain almost entirely dependent on ILECs for the wholesale broadband telecommunications services that they require to provide competitive information service to their mass-market subscribers. ILECs now provide 93 percent of all mass-market wireline broadband telecommunications services. The elimination of the ILECs' unbundling obligations would lead to a duopoly at best, in which most consumers would be forced to choose between only an ILEC-affiliated and a cable-affiliated ISP. Because cable largely does not serve the small business market, it could eliminate ISP choice altogether for these customers.

ISPs are not fungible "conditions" to information. Competition among ISPs has led to lower prices, increased quality, and significant innovation. ISPs compete based on a variety of factors, such as: price; service availability; and scalability; service performance; reliability and speed of service restoration; adequacy of customer support services; effectiveness of network security; adequacy of privacy protection and filtering services; ability to provide a range of addressing options; quality and variety of proprietary applications; content, and hosting services; and accuracy, clarity and timeliness of billing services.

Concerns about "regulatory symmetry" between ILECs and cable system operators do not justify a radical departure from well-established Commission policy. Until ISPs have a meaningful choice of broadband transmission providers over the local loop, the Commission should not seek to eliminate the ILECs' obligation to unbundle, and offer as a telecommunications service, the basic telecommunications functionality that the ILECs use to provide information services.

Paradoxically, the Commission's proposal to possibly address these network nondiscrimination issues in a subsequent proceeding could actually result in increased government regulation. The *Computer II* regime creates a clear line of demarcation between telecommunications services and information services (including Internet access services). Under that regime, the ILECs' broadband telecommunications services are subject to regulation, while competitive market forces have proven sufficient to regulate ISPs' conduct. The Commission has recognized that, if the ILECs are no longer required to unbundle the telecommunications services that ISPs use to provide information services, it may be necessary to impose certain common-carrier-type regulatory obligations on the surviving providers of broadband Internet access.

Review of the Unbundling Obligations of ILECs, CC Docket No. 01-3-38; Implementation of the Local Competition Provisions in the Telecommunications Act of 1996, CC Docket No. 96-98; and Deployment of Wireline Services Offering Advanced Telecommunications, CC Docket No. 98-147. ITAA letter, 2/20/03 p. 4

services. Access to loops by competitive carriers in order to offer broadband services is vital for their ISP customers.

imposition of common carrier-type regulations on ISPs would be an unprecedented erosion of the line of demarcation created in *Computer II*, an extraordinary expansion of the Commission's narrowly circumscribed authority under Title I, and a clear violation of the congressional policy expressed in the Telecommunications Act. Existing regulatory protections are better suited to ensuring that broadband and consumers continue to enjoy the benefits of a competitive information services market.

If we are to achieve the full promise of the information age, then we must look beyond the regulatory tinkering aimed at preventing competitors from fully, fairly, and affordably accessing the network. Instead, the commission must seize this moment to usher in a new era of robust last mile voice and data competition that can unlock new investment, innovation, competition and choice – by ensuring continued access to all parts of the network at affordable prices.

Thank you for your careful consideration of this important issue. If you have any questions about the matters raised above, please feel free to contact me (703-284-5340; hmliller@ita.org).

Sincerely,

Harris N. Miller
President

cc: Hon. K. Q. Abernathy

Hon. J. S. Adelstein

Hon. M. J. Copps

Hon. K. J. Martin

W. Maher, Chief, Wireline Competition Bureau